

PATENT  
Attorney Docket No. 32149/US  
Patent Office Facsimile No. (703) 872-9306

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re the Application of:

Applicant	: Glanzer et al.	
Appln. No.	: 09/598,697	Confirmation No: 7008
Filed	: June 21, 2000	Group Art Unit: 2151
Title	: BLOCK-ORIENTED CONTROL SYSTEM ON HIGH SPEED ETHERNET	Examiner: Jean, Frantz B.

RESUBMISSION OF TIMELY FILED INFORMATION DISCLOSURE STATEMENT  
(Under 37 C.F.R. §§ 1.97(b)(4) and 1.98)

MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The attached Information Disclosure Statement and Form PTO-1449 were timely filed concurrently with the above-referenced patent application on June 21, 2000, and should have been considered by the Examiner. Evidence of receipt of this submission by the Patent Office is provided by the attached "Blue Sheet" which was date stamped and returned to us. In review of the Notice of Allowance, it was discovered that the references cited therein were not reviewed by the Examiner, due to the fault of the U.S. Patent and Trademark Office. Therefore, the Examiner is requested to consider the references noted on the enclosed Form PTO-1449 and issue another Notice of Allowance.

Also enclosed is a copy of a facsimile sent to the Examiner on July 15, 2004, in a final attempt to rectify this situation before payment of the Issue Fee was due. It is to be noted that Applicant first notified the Examiner of this issue on June 22, 2004. Since then, Applicant has contacted the Examiner at least seven times prior to sending the attached facsimile of July 15, 2004. As such, it is not Applicant's fault that the present delay has occurred in reviewing and processing the previously and timely filed Information Disclosure Statement.

This Resubmission of Timely Filed Information Disclosure Statement is being filed concurrently with a Request for Continued Examination, given the due date for Payment of the Issue Fee being Tuesday, July 20, 2004. Applicant requests refund of the RCE fee

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required under 37 C.F.R. 1.17(e) due to the error of the U.S. Patent and Trademark Office in misplacing the originally filed Information Disclosure Statement.

Should the examiner have any questions concerning the relevance of the references cited in the enclosed disclosure, please contact the undersigned attorney.

Dated: 16 July 2004

Respectfully submitted,

  
John T. Kennedy, Reg. No. 42,717  
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USPTO Customer No. 20686

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))Docket No.  
5319In Re Application Of: David A. Glanzer, Colin R. Corles, Stephen K. Brodman, William M. Hawkins, Michael D. Hirst,  
Tony J. Kozlik, Lee A. Neitzel, Raymond D. Sawyer, and Johan I. TegnellSerial No.  
UnknownFiling Date  
June 21, 2000Examiner  
UnknownGroup Art Unit  
UnknownTitle: **BLOCK-ORIENTED CONTROL SYSTEM ON HIGH SPEED ETHERNET**

Address to:

Assistant Commissioner for Patents  
Washington, D.C. 20231**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:

1. a Final Action under 37 CFR 1.113, or
2. a Notice of Allowance under 37 CFR 1.311,

whichever occurs first.

Also submitted herewith is:

- ☐ a certification as specified in 37 CFR 1.97(e);

OR

- ☐ the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))Docket No.  
5319In Re Application Of: David A. Glanzer, Colin R. Corles, Stephen K. Brodman, William M. Hawkins, Michael D. Hirst,  
Tony J. Kozlik, Lee A. Neitzel, Raymond D. Sawyer, and Johan I. TegnellSerial No.  
UnknownFiling Date  
June 21, 2000Examiner  
UnknownGroup Art Unit  
Unknown

Title: BLOCK-ORIENTED CONTROL SYSTEM ON HIGH SPEED ETHERNET

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 04-1425 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. \_\_\_\_\_)

) on \_\_\_\_\_  
(Date)

Signature

Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

\*This certificate may only be used if paying by deposit account.

  
Signature

Dated: 6/21/2000

Ki S. Kim, Reg. No. 43,450

CC:

Sheet 1 of 1

<b>Form PTO-1449</b> U.S. Department of Commerce Patent & Trademark Office  <b>INFORMATION DISCLOSURE STATEMENT</b> <i>(Use several sheets if necessary)</i>		Atty. Docket No. 5097	Serial No. Unknown
		Applicant David A. GLANZER et al.	
		Filing Date June 21, 2000	Group Unknown

  

U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date (if appropriate)
	AA	5,978,578	11/02/99	Azarya et al.	395	701	
	AB	5,960,214	09/28/99	Sharpe, Jr. et al.	395	835	
	AC	5,970,430	10/19/99	Burns et al.	702	122	
	AD	6,026,352	02/15/00	Burns et al.	702	182	
	AE	6,014,612	01/11/00	Larson et al.	702	183	
	AF	5,828,851	10/27/98	Nixon et al.	395	285	
	AG	6,044,305	03/28/00	Larson et al.	700	87	
	AH	6,032,208	02/29/00	Nixon et al.	710	64	
	AI	6,047,222	04/04/00	Burns et al.	700	79	
	AJ						

  

FOREIGN PATENT DOCUMENTS							
		Document	Date	Country	Class	Sub-class	Translation Yes   No
	AK						
	AL						
	AM						
	AN						
	AO						
	AP						

  

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	AQ

  

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.